

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARCUS COTY,

Defendant.

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8:06CR91

ORDER

This matter is before the court on the motion to withdraw as counsel for defendant Marcus Coty (Coty) by Assistant Federal Public Defender Richard H. McWilliams and the Office of the Federal Public Defender (Filing No. 67). The court held a hearing on the motion on September 4, 2012. After hearing Mr. McWilliams and Coty during an in camera session, the court finds the attorney client relationship has been ruptured to the point that substitute counsel should be appointed. Accordingly, the motion to withdraw is granted.

Timothy L. Ashford, 300 South 19th Street, #316, Omaha, NE 68102, (402) 342-8888, is appointed to represent Coty for the balance of the proceedings in this matter. Mr. McWilliams shall provide Mr. Ashford with the materials previously gathered or received for Coty's defense. The clerk shall provide Mr. Ashford with a copy of this order and Mr. Ashford shall file an appearance in this matter forthwith.

IT IS SO ORDERED.

DATED this 4th day of September, 2012.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge